

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY TAGGART,

No. C-13-03439 TEH (PR)

Plaintiff,

ORDER DENYING PLAINTIFF'S  
MOTION FOR DISCOVERY; GRANTING  
PLAINTIFF'S MOTION FOR BLANK  
SUBPOENAS; DIRECTING DEFENDANTS  
TO FILE DISPOSITIVE MOTION

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,

Dkt. Nos. 16, 17

Defendants.

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Plaintiff Anthony Taggart, an inmate at the San Francisco County Jail, filed a pro se civil rights action under 42 U.S.C. § 1983. On October 4, 2013, the Court screened plaintiff's First Amended Complaint and found that it stated an Eighth Amendment claim for deliberate indifference to medical needs. The Court ordered service on the San Francisco Sheriff's Department and Dr. Goldstein, Chief Medical Doctor of the San Francisco County Jail. Defendants' dispositive motion was due on or before February 7, 2014. Now before the Court are: (1) Plaintiff's motion for discovery, and (2) Plaintiff's motion for blank subpoenas.

I

Plaintiff's motion for discovery is DENIED. The Court generally is not involved in the discovery process and only becomes involved when there is a dispute between the parties about discovery responses. Discovery requests and responses normally are exchanged between the parties without any copy being sent to the Court. See Fed. R. Civ. P. 5(d)(1) (listing discovery requests and responses

1 that "must not" be filed with the Court until they are used in the  
2 proceeding or the Court orders otherwise).

3 Plaintiff's request for subpoenas duces tecum is GRANTED.  
4 The Clerk is DIRECTED to send five blank subpoenas to Plaintiff for  
5 him to complete and return to the Court for issuance by the Clerk  
6 and thereafter to be returned to Plaintiff for service.


7 II

8 The deadline for Defendants to file their dispositive  
9 motion has now passed. Although they filed an answer to the First  
10 Amended Complaint, they never filed a dispositive motion as directed  
11 by the Court in its October 4, 2013 service order. Therefore, the  
12 dispositive motion is overdue. Accordingly, within two  
13 weeks from the date of this order, Defendants shall file their  
14 dispositive motion. Plaintiff's opposition to the dispositive  
15 motion shall be filed with the Court and served upon Defendants no  
16 later than thirty-five (35) days after Defendants serve Plaintiff  
17 with the motion. Defendants shall file a reply brief within  
18 fourteen (14) days of the date on which Plaintiff serves them with  
19 the opposition.

20 This Order terminates docket numbers 16 and 17.

21 IT IS SO ORDERED.

22  
23 DATED 05/12/2014

  
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THELTON E. HENDERSON  
United States District Judge

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